

**Unvalidated References:**  
*Search Act 1977*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

.....  
Legislative Counsel  
Dated 25 November 2006

## **INDEPENDENT STATE OF PAPUA NEW GUINEA.**

### **Chapter 341.**

#### ***Search Regulation 1977***



## **ARRANGEMENT OF SECTIONS.**

1. Information to issue warrant.
2. Warrant.
3. Register of property.

### **SCHEDULE 1**

#### ***Search Regulation 1977***

MADE under the *Search Act 1977*.

Dated                      200 .

#### **1. INFORMATION TO ISSUE WARRANT.**

Information sufficient to issue a warrant shall be on oath—

- (a) by a person in respect of any building, craft, vehicle or place—in Form 1; and
- (b) by a commissioned officer of the Police Force in respect of any building or buildings in a village, or in any part of a village or village garden—in Form 2.

#### **2. WARRANT.**

A warrant in respect of—

- (a) any building, craft, vehicle or place shall be in Form 3; and
- (b) any building or buildings in a village or in any part of a village or village garden shall be in Form 4.

#### **3. REGISTER OF PROPERTY.**

A record of things seized by, or handed to, a policeman shall be kept in a register of property in Form 5.

**SCHEDULE 1**

***PAPUA NEW GUINEA.***

***Search Act 1977.***

***Form 1 – INFORMATION.***

Act, Sec. 6(1).

\*Form 1.Reg., Sec. 1(a).

To the ... Court.

I, *(name)* *(occupation)* of *(address)* declare that *(state belief in respect to commission, or likely commission, of offence)* being the grounds for which a search warrant may be issued in respect of *(state particulars of building, craft, vehicle, or place)*.

Declared at

Dated 20 .

Magistrate.

District Court

\*This form not for use in proceedings in Local Court.

***PAPUA NEW GUINEA.***

***Search Act 1977.***

***Form 2 – INFORMATION.***

Act, Sec. 6(2).

Form 2.Reg, Sec. 1(b).



To the ... Court.

I, *(name)* being a commissioned officer of the Police Force declare that *(state belief in respect to commission, or likely commission, of offence)* being the grounds for which a search warrant may be issued in respect of *(state particulars of building or buildings in a village, or in any part of a village or village garden)*.

Declared at

Dated ... 20 .

Before me:

Magistrate.

District Court.

\*This form not for use in proceedings in Local Court.

***PAPUA NEW GUINEA.***

***Search Act 1977.***

***Form 3 – SEARCH WARRANT.***

Act, Sec. 6. Form 3.Reg., Sec. 2(a).

To (a) *(name of person)* of *(address)*;  
 (b) the officer in charge of the Police at  
 (c) all officers and members of the Police Force.

WHEREAS an information on oath of *(name)* of *(address)* dated ... 20 , stating that there are reasonable grounds to believe that there is at *(specify building, craft, vehicle or place)*—

- \*☐ any thing with respect to which any offence has been or is believed on reasonable grounds to have been committed; or
- \*☐ any thing as to which there are reasonable grounds for believing it is likely to afford evidence of the commission of any offence; or
- \*☐ any thing as to which there are reasonable grounds for believing is intended to be used to commit any offence,

namely *(state nature of thing)*.

YOU ARE HEREBY ORDERED to search the *(state building, craft, vehicle or place)* and seize any thing you may find that relates to *(state the offence or matter of the information)* and convey it to a safe place.

Dated at ... , ...20 .

Magistrate.

District Court.

\*\*Endorsement.

This search may be carried out at any time.

Magistrate.

District Court.

\*Place "X" in appropriate square.

\*\*Strike out if inapplicable.

***PAPUA NEW GUINEA.***

***Search Act 1977.***

***Form 4 – SEARCH WARRANT.***

Act, Sec. 6. Form 4.Reg., Sec. 2(6).

- To (a) *(name of person)* of *(address)*;  
 (b) the officer in charge of the Police at  
 (c) all officers and members of the Police Force.

WHEREAS an information on oath of *(name)* of *(address)* dated ...20 , stating that there are reasonable grounds to believe that there is at *(specify building or buildings in a village or in any part of a village or village garden)*—

- \*☐ any thing with respect to which any offence has been or is believed on reasonable grounds to have been committed; or
- \*☐ any thing as to which there are reasonable grounds for believing it is likely to afford evidence of the commission of any offence; or
- \*☐ any thing as to which there are reasonable grounds for believing is intended to be used to commit any offence,

namely *(state nature of thing)*.

YOU ARE HEREBY ORDERED to search the *(building, buildings, village, part of the village or village garden)* and seize any thing you may find that relates to *(state the offence or matter of the information)* and convey it to a safe place.

Dated at ... , ... 20 .

Magistrate.

District Court.

NOTE: This warrant may not be executed in respect of any building or buildings in a village, a village, or any part of a village or village garden unless the co-operation has been sought of those persons who, by custom, are regarded as the leaders of the village.

\*\*ENDORSEMENT.

This search may be carried out at any time.

Magistrate.

District Court.

\*Place "X" in appropriate square.

\*\*Strike out if inapplicable.

***PAPUA NEW GUINEA.***

***Search Act 1977.***

***Form 5 – REGISTER OF PROPERTY.***

Act, Sec. 12. Form 5.Reg., Sec. 3

Description of item:

Identification mark (if any):

Date and time of seizure or receipt:

Name and address of person handing item to policeman:

Place where item seized:

Person from whom item seized:

Any further relevant details:

*Search Regulation 1977*